

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
July 17, 2007

The City Council convened in Regular Session on Tuesday, July 17, 2007, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Bob Kneemiller, presiding, and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Larry Muench, Jerry Reese, Ron Stivison, and Richard Veit. Absent: Laurie Feldman, Michael Klinghammer, and Michael Weller. The Honorable Mayor Patricia M. York was absent. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #46603

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

A motion was made by LARRY MUENCH to excuse the absences of Councilmembers Laurie Feldman, Michael Klinghammer, and Michael Weller. JERRY REESE seconded the motion. All voted in favor, motion passed.

RESOLUTIONS/AWARDS/PROCLAMATIONS

A Resolution Requesting the Municipal Judge of the City of St. Charles to Double Current Fines for Speeding in the 1500 Block of Rutgers Lane (*Sponsor: Bob Kneemiller*)

Passed "Aye": Ermeling, Kneemiller, Muench, Reese, Stivison, and Beckering

"Nay": Veit

Absent: Feldman, Klinghammer, and Weller

Approved by the Honorable Mayor on July 20, 2007, and is known as **Resolution R07-10**

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 9408 Relative to Changing the Name of the Street Denoted as *Riverbluff Drive to Ameristar Boulevard*

Joyce Welker, 4 Golden Wheat Ct., spoke in opposition to Council Bill 9408.

BILLS FOR FINAL PASSAGE

Bill 9387 (*Held*)

An Ordinance Finding That a Certain Blighted Area as Defined in Chapter 353 of the Revised Statutes of Missouri, as Amended, the Urban Redevelopment Corporations Law, Exists in the City of St. Charles and that the Redevelopment of Such Area is Necessary and in the Public Interest; Approving a Development Plan and a Redevelopment Project for the Blighted Area; Authorizing the City Council to Enter into a Development Agreement to Facilitate and Implement the Development Plan; and Approving a Grant of Limited Tax Abatement (*Sponsor: Jerry Reese*)

Council Bill 9387 was held by Sponsor Jerry Reese.

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Bill 9397

An Ordinance Authorizing the City to Enter into a Lease Agreement With The Small Business Synergy Corporation for the Lease of Office Space for the Fire Department in an Annual Amount Not to Exceed \$26,352.26 (*Sponsor: Bob Kneemiller*)

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling
"Nay": None
Absent: Feldman, Klinghammer, and Weller

Approved by the Honorable Mayor on July 20, 2007, and is known as **Ordinance 07-199**

Bill 9398

An Ordinance Vacating an Approximate 25 Foot Wide Ingress/Egress and Public Utility Easement Approximately 770 Feet in Length Through the Center of Tuscany Subdivision

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling
"Nay": None
Absent: Feldman, Klinghammer, and Weller

Approved by the Honorable Mayor on July 20, 2007, and is known as **Ordinance 07-200**

Bill 9399

An Ordinance Vacating an Approximate 7.5 Foot Wide Utility Easement Located Along the Rear Property Line of Lot 22 in Tuscany Subdivision (*Sponsor: Laurie Feldman*)

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling
"Nay": None
Absent: Feldman, Klinghammer, and Weller

Approved by the Honorable Mayor on July 20, 2007, and is known as **Ordinance 07-201**

Bill 9400

An Ordinance Approving the Record Plat for Bogey Club Phase Two, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Jerry Reese*)

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling
"Nay": None
Absent: Feldman, Klinghammer, and Weller

Approved by the Honorable Mayor on July 20, 2007, and is known as **Ordinance 07-202**

Bill 9401 (Held)

An Ordinance Approving the Record Plat for Springwell Village, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Jerry Reese*)

Council Bill 9401 was held at the request of Staff.

Bill 9402

An Ordinance Approving the Record Plat for Resubdivision of Lot 41 of Elm Point Industrial Park Plat 4, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

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Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling
"Nay": None
Absent: Feldman, Klinghammer, and Weller

Approved by the Honorable Mayor on July 20, 2007, and is known as **Ordinance 07-203**

Bill 9403 (Held)

An Ordinance Accepting a Special Warranty Deed from Whittaker Builders, Inc. to Allow Access to and Maintenance of the Vacuum Station Located on Lot Q of The New Town at St. Charles Plat One (*Sponsor: Michael Klinghammer*)
Council Bill 9403 was held by President of the Council Bob Kneemiller.

Bill 9404

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the West Clay and Duchesne Intersection Improvement Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsor: Ron Stivison*)
Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling
"Nay": None
Absent: Feldman, Klinghammer, and Weller
Approved by the Honorable Mayor on July 20, 2007, and is known as **Ordinance 07-204**

Bill 9405

An Ordinance Authorizing an Agreement with the State of Missouri, Division of Family Support, for Receipt and Disbursement of Emergency Shelter Grant Funds on Behalf of the Women's Center of Bridgeway Counseling for Federal Fiscal Year April 1, 2007 Through March 31, 2008 (*Sponsor: Bob Kneemiller*)
Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling
"Nay": None
Absent: Feldman, Klinghammer, and Weller
Approved by the Honorable Mayor on July 20, 2007, and is known as **Ordinance 07-205**

Bill 9406 (Amended)

An Ordinance Authorizing an Engineering Services Contract with George Butler Associates for the Design of the Street Facility Floor Plan Analysis and Site Concept Plan in an Amount Not to Exceed \$65,350.00 (*Sponsor: Richard Veit*)
A motion was made by RICHARD VEIT to amend Council Bill 9406 to specify that the City pay actual hourly charge-out rates incurred rather than a lump sum payment.. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed. Upon a request of President of the Council Bob Kneemiller, Director of Public Works Debra Aylsworth explained the design-build process. Councilmember Dave Beckering stated that the City should not incur any costs for GBA representatives to travel from Kansas City since GBA has a local office located in O'Fallon.

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Bill 9407

An Ordinance Authorizing an Intergovernmental Agreement Between the City of St. Charles and Central County Fire and Rescue District for Reimbursement of Tax Revenue for Annexed Land Pursuant to Section 321.322 RSMo. in an Amount Not to Exceed \$541.04. (*Sponsor: Bob Kneemiller*)

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling
"Nay": None
Absent: Feldman, Klinghammer, and Weller

Approved by the Honorable Mayor on July 20, 2007, and is known as **Ordinance 07-206**

Bill 9408

An Ordinance Changing the Name of the Street Denoted as *Riverbluff Drive* to *Ameristar Boulevard* (*Sponsor: Larry Muench*)

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling
"Nay": None
Absent: Feldman, Klinghammer, and Weller

Approved by the Honorable Mayor on July 20, 2007, and is known as **Ordinance 07-207**

Bill 9409 (*Held Pending Public Hearing Scheduled for August 21, 2007*)

An Ordinance Deleting Section 124.04 of the Code of Ordinances and Amending Chapter 156 of the Code of Ordinances by Amending Sections 156.005 and Creating a New Section to be Known as Section 156.820 Pertaining to Clothing Drop Boxes (*Sponsor: Bob Kneemiller*)

Council Bill 9409 was held pending the Public Hearing scheduled for August 21, 2007. A request was made by Vice President of the Council Jerry Reese that City Attorney Michael Valenti review State Law relative to clothing drop boxes.

Bill 9410

An Ordinance Amending Section 34.05 of the Code of Ordinances by Adding a New Subsection (B) Establishing a Fee for Fingerprinting (*Sponsor: Bob Kneemiller*)

Passed "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling
"Nay": None
Absent: Feldman, Klinghammer, and Weller

Approved by the Honorable Mayor on July 20, 2007, and is known as **Ordinance 07-208**

BILL FOR INTRODUCTION

The following Council Bill was introduced:

Bill 9411

An Ordinance Authorizing the Filing of an Application with the U.S. Department of Justice for the Justice Assistance Grant Program (JAG) FY 2007; and to Sign all Necessary Documents to Accept and Receive Said Grant (*Sponsor: Ron Stivison*)

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CONSENT AGENDA

A motion was made by JERRY REESE to receive and approve the consent agenda. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling. "Nay": None. Absent: Klinghammer, Weller, and Feldman. Motion passed.

- A. Approval of Council Minutes
None

- B. Receipt and/or Approval of Council Committee Reports
1. Council Rules Committee Meeting of July 10, 2007

File #46593

- C. Receipt of Reports from Boards, Commissions or Committees
1. Arts & Culture Commission Meeting of June 4, 2007
a. Approval of Additional Funding to Riverside Shakespeare in an Amount not to Exceed \$4,000 to Porta-Potties, Printing, and Other Expenses

Direction was given to investigate the possibility of contracting on an annual basis for rental of porta-potties for all special events/festivals.

File #46434

2. July 4th Celebration Committee Meeting of June 13, 2007

File #46455

- D. Receipt of Reports of the Director of Administration
1. June Investment Report

File #46456

2. Liquor License Application for Shi-Hung Lin dba Ilha Formosa Located at 524 South Main Street

File #46463

- E. Approval of Contracts and Easements from \$20,001 - \$50,000
1. Contract with Tech Electronics, Inc. for Purchase and Installation of Mitel Phone Systems at Street Division Maintenance Facility Located at 370 North Drive and Fire Station No. 1 Located in 911 North Sixth Street in an Amount not to Exceed \$46,445.00

File #46604

2. Contract with Madden Preprint Media for Advertising in the Oprah Magazine in the Amount of \$9,927.91 (*Compliance with Section 40.30 of the City Code*)

File #46605

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F. Preliminary Plats
None

G. Miscellaneous

1. Approval of Arts and Culture Commission Expenditures
File #46446
2. Report of Court Administrator of Monies Collected and deposited for the month of June 2007
File #46462

REPORT OF THE MAYOR

Appointments to Boards and Commissions

A motion was made by LARRY MUENCH to approve the following appointments to Boards and Commissions as presented by the Honorable Mayor Patricia M. York:

Library Board: Reappointment of Warlene Reed and Gail Dreyer for three-year terms ending July, 2010.

Planning and Zoning Commission: Reappointment of David Shupp, David Meek and Richard Baum for three-year terms ending July, 2010.

DAVE BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Beckering, and Ermeling. "Nay": None. Absent: Weller, Feldman, and Klinghammer. Motion passed.
File #46411

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Response to Items Brought Forward Under Report of the Mayor

There were no responses to items brought forward under Report of the Mayor.

Discussion Relative to Alternate Solutions to Reduce Speeding in our Residential Neighborhoods

Councilmember Dave Beckering requested that this item be discussed at the Council Work Session scheduled for August 14, 2007, to discuss alternatives to speeding humps in residential areas, such as enforcement, education, and devices. Direction was given to provide information at the Council Work Session relative to the Safe Summer Enforcement Program conducted several years ago. Councilmember Larry Muench requested that Staff provide information on the cost of the solar speed sign used in New Town.

Request for Funding from Council Directives for Publication of the Disabilities Brochure

Councilmember Larry Muench gave an explanation of the Disabilities Guide proposed by the Citizens with Disabilities Commission. A motion was made by LARRY MUENCH to approve \$6,000 from Council Directives to fund a portion of the Disabilities Guide. DAVE BECKERING seconded the motion. All voted in favor, motion passed.
File #46606

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Written and/or Verbal Messages from the Councilmembers

Commendation of Street Department

Vice President of the Council Jerry Reese commended the Street Department for the great job on patching the concrete within the City.

Commendation of Sewer Division

Vice President of the Council Jerry Reese commended the Sewer Division on the good job they do; and on the new camera equipment which films the sewer lines to identify problems.

Children's Health & Fitness Fair

Councilmember Larry Muench announced that the City will sponsor a Children's Health & Fitness Fair on Saturday, July 21, 2007, at McNair Park from 10:00 a.m. to 2:00 p.m.

E-mail Concerns

Councilmember Larry Muench voiced concern at the problems experienced with the City E-mail system. Director of Administration Ernie Rhodes responded that he has authorized the hiring of consultants to assist in correcting the E-mail system.

Music on Main

Councilmember Larry Muench announced that Music on Main will be held on Wednesday, July 18, 2007, in the 100 and 200 Block of North Main Street.

Patronize Businesses with St. Charles

Councilmember Richard Veit urged residents to patronize businesses located within the City of St. Charles.

TABLED BILLS

Case No. CU-22-06 Starbucks (Tri Architects). The applicant proposes to install a 1,650 square foot Coffee Shop with drive-thru facilities on 0.65 acre in the C-3, Highway Business, zoning district. The property is located on the east side of Muegge Road just south of Mexico Road (Cave Springs Crossing Shopping Center). (Ward 6) ***(Tabled at the June 19, 2007, Regular Council Meeting)***

There was no action taken on Case No. CU-22-06.

Bill 9386

An Ordinance Finding and Declaring that the Acquisition of Permanent Sanitary Sewer Utility Easement, Temporary Construction Easement or Other such Easements as are Necessary for Sanitary Sewer Purposes for the Hineman Woods Estates Subdivision Project is Necessary for Municipal Purposes, and Authorizing Purchase, Gift, or the Exercise of Eminent Domain to Acquire Said Easements *(Sponsor: Michael Klinghammer)* ***(Tabled at the July 10, 2007, Regular Council Meeting)***

There was no action taken on Council Bill 9386.

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The Regular Council Meeting was adjourned at 7:48 p.m.

August 7, 2007
Date Approved

Marilyn K. McCoy
City Clerk

Bob Kneemiller
Bob Kneemiller, Presiding Officer